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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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EMILIO CHAVEZ, JR.,

§

Petitioner,

§

*versus*

§

CIVIL ACTION NO. 1:23-CV-425

WARDEN, FCI BEAUMONT CAMP,

§

Respondent.

§

**ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Petitioner Emilio Chavez, Jr., a prisoner confined at the Federal Correctional Institution in Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. On December 11, 2023, the magistrate judge recommended dismissing the petition without prejudice. Proper notice was given to Petitioner at his last known address. *See* FED. R. CIV. P. 5(b)(2)(C). To date, the parties have not filed objections to the report.

The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge (#8) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 30th day of January, 2024.

*Marcia A. Crone*  
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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE